

JUN 28 1995

R-19J

Donald R. Schregardus, Director
Ohio Environmental Protection Agency
P. O. Box 1049
Columbus, Ohio 43216-1049

Dear Mr. Schregardus:

Members of my staff visited your Agency during the week of April 10, 1995 to assess the UIC program for Class I, IV, and V wells in the State of Ohio. I understand that discussions were productive and a very positive exchange occurred between our two agencies. Enclosed is a copy of the Executive Summary which highlights major findings of my staff. The final report which further details our findings will be sent under separate cover addressed to the Chief of the Division of Drinking and Ground Waters.

Overall, we found that your agency continues to be progressive in the implementation of the Underground Injection Control (UIC) primacy program. Ohio Environmental Protection Agency (OEPA) staff have established high visibility both in the National Class I and Class V arenas. Specific results have been of high quality particularly in the areas of data management and coordination with those programs and agencies impacted by UIC activities, which are primarily related to Class V. We commend you and your staff for administering an effective program.

In addition, we understand that the OEPA has been contemplating the transfer of the UIC program from the Clean Water Act Section 6111 of the State Revised Code to the Safe Drinking Water Act Section 6109. We support these efforts and urge the OEPA to make this change effective as soon as possible as the transfer will enhance implementation of the UIC program and make the UIC program consistent with Federal regulations.

[Handwritten signatures and dates:]
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JCS 6/8/95
JR 6/6/95
D-9 6/7/95
JCS 6/2/95
JCS 6/6/95
JCS 6/4
JCS 6/8/95
JCS 6/8/95

As discussed at the close-out session of the evaluation, we look forward to devising new ways of enhancing our partnership with your agency. If we can be of assistance to you, or if you have any questions about our findings, please contact Valoria Robinson of my staff at (312) 886-4281. Thank you for your continued support of the UIC program.

Sincerely, *yours*

~~NOT ORIGINAL~~ Signed by
Valdas V. Adamkus

Valdas V. Adamkus
Regional Administrator

Enclosure

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EXECUTIVE SUMMARY

1995 MID-YEAR EVALUATION

OEPA UIC PROGRAM

- The OEPA continues to effectively manage the UIC program. OEPA staff have established high visibility both in the National Class I and Class V arenas. As a result of efforts by OEPA staff, the UIC program is becoming more effective and comprehensive in its implementation as is evident from our review. USEPA's role is fast evolving from oversight to assistance and information exchange.
- Region ⁵V continues to be impressed with OEPA efforts to coordinate with those programs and agencies affected by UIC activities. Of particular note is coordination with the State of Ohio Department of Industrial Relations, Board of Building Standards, on their requirement for automotive service establishments to construct floor drains which meet the definition of a Class V well. Such efforts should enhance regulatory compliance and create partnerships. The OEPA continues to be sensible and progressive in this area as the benefits of cross media coordination emerge both environmentally and in program implementation.
- USEPA technical assistance to the State, exchange of information and technical expertise continue to benefit both agencies and enhance Federal/State relations. Frequent coordination and communication has occurred between our agencies on issues including Class V regulations, land ban petition modifications, technical training, and new policy on Class I SNC definitions. We expect such relations to expand given the maturity of the UIC program and the future direction of the Class V program.
- The enforcement program has made substantial progress and we are highly encouraged by recent efforts to deter non-compliance. OEPA works more closely with operators to address delinquencies before taking enforcement action and has elevated enforcement action against repeat offenders to the Division level. The OEPA also secured a penalty from Aristech for failure to comply with the consent agreement and successfully witnessed the plugging of Reserve Environmental Services Class I non-hazardous injection well. The OEPA is working to further refine their enforcement process. In past reviews, we have suggested seeking unilateral penalty authority. While the OEPA has been able to achieve compliance thus far, we still feel that unilateral penalty authority would provide for greater deterrence and thus would expedite enforcement processes. As such, we suggest that the OEPA consider seeking such authority.

- Permitting work to date has been of high quality. However, we urge the OEPA to move forward with the Zeneca permits which expired in September of 1992 for the purposes of incorporating the new Class I Federal regulations. This is particularly true given that the OEPA has been fully staffed for quite some time and adequate training has been provided.
- The OEPA continues to carefully administer an outstanding Class V program. The OEPA still has ongoing concerns over a number of issues which accompany well closure, but is working to address many of these issues and move forward. The national direction of the Class V program continues to recommend the closure of high priority Class V wells whenever possible. OEPA has provided invaluable and insightful input on Class V efforts both Regionally and Nationally and will be instrumental in any future developments.
- The OEPA has made tremendous progress with UIC data management. OEPA staff now has computers. The Class I database which is currently being refined has been completed and is very impressive. The layout of the Class V database is being developed. Both databases will include ground water data elements and will allow for the integration with and linkage of UIC data to ground water and drinking water data.

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ROUTING AND CONCURRENCE FORM
PROGRAM MANGEMENT UNIT/UIC SECTION

DOCUMENT
PACKAGE:

OEPA Executive Summary

TO BE ROUTED UP TO AND SIGNED BY X	CONCURRENCES	INITIALS	DATE
1	ORIGINATOR - V. Robinson	JK	6-2-95
	REVIEWERS -		
	UNIT SECRETARY - DEBRA JENKINS	D.J.	6-2-95
2	UNIT CHIEF - JOHN C. TAYLOR	DET	6-6-95
	SECTION SECRETARY - BETTY MIKOLAJCZAK	BC	6/1/95
3	SECTION CHIEF - RICHARD J. ZDANOWICZ	RZD	6/7
	BRANCH SECRETARY - JENNIFER CONNER		
4	BRANCH CHIEF - EDWARD P. WATTERS		
	DIVISION SECRETARY - NORMA IGNASIAK	NI	6/8
5	DIVISION DIRECTOR - DALE S. BRYSON	DB	6/8
	REGION SECRETARY - MINNIE BRANTLEY		
X	REGIONAL ADMINISTRATOR - VALDAS V. ADAMKUS	VA	6/8

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BY:

SPECIAL INSTRUCTIONS:

EJUL 17 1995

WD-17J

Mr. John Sadzewicz
Chief, Division of Drinking and Ground Waters
Ohio Environmental Protection Agency
P.O. Box 1049
Columbus, Ohio 43266-0149

Dear Mr. Sadzewicz:

During the week of April 10, 1995, members of my staff conducted a mid-year evaluation of your Agency's Underground Injection Control (UIC) program. The purpose of the evaluation was to assess the Ohio Environmental Protection Agency's (OEPA) performance in effectively regulating Class I, IV, and V wells for the State of Ohio and implementing a program that is protective of USDWs. Discussions with your staff were very productive. We commend your staff on their efforts and feel confident that such efforts will continue through FY 1995. The Executive Summary, which provides highlights of this review was sent to you under separate cover. The final report which provides greater details of our review team's findings is enclosed.

The OEPA continues to successfully manage a UIC program for Class I, IV, and V wells in the State of Ohio given the available resources. Tremendous progress has been made in the data management area and we eagerly await the development of the planned agency-wide integrated system. The OEPA is very responsive to the Region in meeting information requests and required reporting and ensures that high quality and complete reports are submitted. The OEPA has satisfied program planning and grants management requirements for FY 1994, and is implementing a program that is consistent with the negotiated program plan. The Region will continue to assist the State in developing a comprehensive UIC program which includes pollution prevention, ground water protection efforts, multi-media activities, and optimal enforcement mechanisms.

Thank you for your continued support of the UIC program. We feel that a State/EPA partnership continues to grow and we will make

every effort to foster that relationship. Please contact me or have your staff contact Valoria Robinson at (312) 886-4281 if we can be of further assistance.

Sincerely yours,

Richard J. Zdanowicz, Chief
Underground Injection Control Section

Enclosure

cc: Mary Lou Hodnett

1995 MID-YEAR EVALUATION
OF THE
OHIO ENVIRONMENTAL PROTECTION AGENCY
UNDERGROUND INJECTION CONTROL PROGRAM

Program Administration

Overall Program Administration

The OEPA continues to effectively manage the UIC program. OEPA staff have established high visibility both in the National Class I and Class V arenas. As a result of efforts by OEPA staff, the UIC program is becoming more effective and comprehensive in its implementation as is evident from our review. USEPA's role is fast evolving from oversight to assistance and information exchange.

State Specific Guidance/Grant Application/Program Plan

FY 1995 appropriations for the UIC program were subject to a 5 percent reduction as the result of a National cut in UIC funding. Region 5 then made OEPA aware of these changes. The OEPA submitted a revised FY 1995 grant application and program plan to reduce total project costs and program plan activities accordingly. The revised grant has been approved and the remaining balance of the reduced Full Federal Share has been awarded. While it has been determined that the OEPA will be able to sustain an effective program in spite of the decrease, the Region understands that any further reductions will put base program activities at risk.

Because the Region has not and does not anticipate receiving FY 1996 guidance from Headquarters, we requested that the OEPA prepare the FY 1996 grant application and program plan based on FY 1995 guidance. We have received the draft FY 1996 program plan and grant application and will forward comments to the State as soon as review is completed.

Recent efforts in the Region to reorganize and the potential switch to block grants may impact the overall program planning process including guidance to the states and state evaluations. This reflects the current climate of reinventing government and implementing performance partnerships. Should the OEPA wish to consider inclusion of the UIC program in a block grant to the State at a later date, the procedures for implementing block grants are still being developed and may not be available until some time in FY 1996. We will keep the OEPA advised of any further developments.

STARS Reporting

The State continues to meet target commitments and report STARS data as requested. Based on our review, the data reported appears to be accurate and well documented. OMB approval of the UIC reporting forms expired March 30, 1995. However, USEPA Headquarters obtained a 3 month extension and further extensions are expected. Accordingly, the OEPA should continue reporting on the current forms until further notice.

Headquarters has accepted the two tier definition of SNC for Class I hazardous wells. This will impact the reporting of SNC for Class I hazardous wells as well as the exceptions list reporting.

Staffing

The OEPA UIC Unit remains fully staffed. As a result, the program continues to progress. Further, the addition of a Data Manager to the Division should enhance efforts to meet UIC data management needs.

Training

OEPA continues to provide adequate training and address development needs of UIC staff. The Region has been able to assist the State with training needs such as the MIT training which was recently conducted. We understand the OEPA is still interested in attending UIC inspector training. The training will be held Mid-September in Denver, Colorado. We will forward further information to the State as soon it is available.

The Region is instituting a new performance appraisal system for Regional employees which calls for feedback providers on an individual's performance. This 360° review process includes coworkers and customers. As such, OEPA staff may be asked to provide constructive feedback to those Regional employees they interact with which will hopefully result in an improved working relationship.

Data Management

The OEPA has made tremendous progress with UIC data management. OEPA staff now have computers and a laptop. The Class I database has been completed and is very impressive. The layout of the Class V database is being developed. Both databases will include ground water data elements, GIS capabilities, and will allow for the integration with and linkage of UIC data to ground water and drinking water data. Further, the OEPA has goals to obtain GPS units which will be used to gather the latitude/longitude coordinates of existing wells. We look forward to seeing the

overall implementation of the Agency's integrated system once it is fully in place.

Rule/Regulation Changes

Current State regulations parallel Federal statute. OEPA has consistently transmitted proposed State legislation to the Region for review including the most recent area wide permit rule which is in effect and proved valuable when the State was called to issue an emergency permit to ODOT to drill and operate Class V wells used for a mine backfill grouting project to repair a major interstate that had collapsed. This regulation change as well as other prior ones that have been made since primacy was granted will be incorporated when the primacy package is updated.

We understand that the OEPA has been contemplating the transfer of the UIC program from the Clean Water Act Section 6111 of the State Revised Code to the Safe Drinking Water Act Section 6109. We support these efforts and urge the OEPA to make this change effective as soon as possible as the transfer will enhance implementation of the UIC program and make the UIC program consistent with Federal regulations.

Primacy Package Update

The Region has developed a proposed schedule to complete the primacy package update for the OEPA UIC program. The schedule will be forwarded to the State as soon as procedures for approval have been negotiated with Headquarters and the IDMM primacy package update is well underway. We will inform the OEPA of any new developments.

Multi-Media Activities/Cross Program Coordination

Region V continues to be impressed with OEPA efforts to coordinate with those programs and agencies affected by UIC activities. For example, the State routinely coordinates with the WHPP, Hazardous Waste Division, ODNR, and the Pollution Prevention Office and is working to establish coordination with DERR in addressing Class IV and V wells. Of particular note is coordination with the State of Ohio Department of Industrial Relations, Board of Building Standards, on their requirement for automotive service establishments to construct floor drains which meet the definition of a Class V well. Such efforts should enhance regulatory compliance and create partnerships. The OEPA UIC program continues to be sensible and progressive in this area as the benefits of cross media coordination emerge both environmentally and in program implementation.

Pollution Prevention Activities

We are happy to note that the OEPA, in conjunction with the OEPA Office of Pollution Prevention, has worked with companies to establish waste minimization executive summaries and plans that are now in place at each Class I facility. The OEPA currently has Best Management Practices (BMPs) in place at numerous 5X28 Class V facilities. Such efforts support Regional pollution prevention goals.

Professional Activities

USEPA technical assistance to the State, exchange of information and technical expertise continue to benefit both agencies and enhance Federal/State relations. The OEPA has commented on the P&A and the Small Leak guidances which will be forwarded to the State when final. Frequent coordination and communication have occurred between our agencies on issues including Class V regulations, land ban petition modifications, technical training, and the new policy on Class I SNC definitions. Coordination will continue to be important given on-going land ban and Class I issues and the upcoming development of a National Class V Management Implementation Strategy and resulting guidances. We expect such relations to expand given the maturity of the UIC program and the future direction of the Class V program.

As for future planned coordination, we encourage OEPA's continued involvement with GWPC where the State's input has been quite valuable. We especially note the significant role that the UIC Unit Supervisor played in the development of the new Class I SNC definition. We also encourage OEPA participation at ASTM meetings to include the State's perspective on the deep well injection standard which is currently being prepared. As such, we will transmit any ASTM documents to the OEPA for review. In addition, we understand that the OEPA requests USEPA assistance at the upcoming mechanical integrity testing for Aristech's injection wells. We will make every effort to collaborate on this effort.

Public Participation

The OEPA continues to include the public where necessary, respond to inquiries, and provide outreach to public entities including industry. The OEPA has achieved increased contact with the regulated community and works with the public to address concerns and follow-up on complaints.

Land Ban Coordination

Our agencies continue to effectively coordinate on land ban issues as they arise particularly with current modifications to CWM and BP petitions. We will be sure to forward RCRA issues to

the State and coordinate with and copy relevant OEPA UIC staff on all correspondence. Currently, all facilities are in compliance with land ban petitions. Our agencies will need to discuss the impact of proposed Phase III Land ban rules on Class I facilities, particularly non-hazardous sites.

Coordination with Ground Water Protection Efforts

The OEPA continues to participate in ground water program activities and provide input on those documents which impact UIC. Such coordination efforts should enhance the identification and remediation of Class V wells that threaten ground water. It will be particularly important for the two programs to coordinate on discussions with the City of Fairfield, Ohio regarding storm water drainage wells in the community as they have a high potential to contaminate ground water in that area.

Quality Assurance Plan (QAPP)

The USEPA is in the process of updating QAPPs which may result in the need for some action by the State. We will notify the OEPA as soon as we have a more definitive resolution and will provide appropriate guidance should any changes be necessary. The OEPA should proceed as normal until further notice from the Region.

Permitting

Overall Permitting

OEPA has been fully staffed for quite some time and adequate training has been provided. While there have been previous concerns regarding the timely issuance of permits, particularly for Zeneca, OEPA should be able to move permits more expeditiously and efficiently since OEPA permitting staff have now been involved in at least one permit reissuance and we do not expect any sweeping revisions to the UIC regulations. AK Steel's Class I permit renewals are to begin in 1996. Permits issued to date have been high quality.

During the closure of the RES well, OEPA kept Region 5 informed of progress and requested technical opinions several times. Region 5 appreciates the opportunity to assist the OEPA in any way possible during times when irrevocable decisions are being made. Our review of the RES closure report indicates that the procedure was carried out very effectively.

Region 5 plans to provide OEPA with assistance in the evaluation of waste migration at the Aristech site before the wells are closed. This will be accomplished by an on-site presence, as requested by OEPA, during testing of the Aristech wells scheduled for this summer and review of the data developed through that testing.

Permit Determinations

We urge the OEPA to move forward with the Zeneca permits for the purpose of incorporating the new Class I regulations. With regards to the Aristech and AKZO permits, we understand that many extenuating circumstances exist which may delay permit issuance. We are available to assist the OEPA in these cases as needed.

Maximum Injection Pressure

With the exception of AKZO, OEPA has established protective maximum injection pressures at all Class I facilities based on on-site testing, operating records, and other available data. The injection pressure at the AKZO site is commonly high enough that, based on results of other tests in the State, fracture initiation or propagation is of concern. The Region feels strongly that AKZO's new permit requires further investigations for the purpose of establishing a maximum injection pressure that is demonstrably protective. With regards to Zeneca, we understand that, while MIP is based on operating records, the company will be required to calculate injectivity (injection rate/injection pressure) periodically during normal operations. A step increase in injectivity will trigger further investigations to determine if fracturing has occurred. We urge the OEPA to address this immediately should this occur.

State Review of Technical Data

The OEPA continues to be productive in this area. The UIC Unit is now able to review all monitoring reports within 30 days of receipt, and does so effectively. Mechanical integrity tests, ambient reservoir pressure monitoring, and other tests made periodically are evaluated by the unit technical staff. WAPs are in place for the appropriate companies and were well done. Frequent discussions with the Region regarding these documents aids in ensuring that important issues will not be overlooked.

We have noted instances in which results of tests might have been more clear if certain procedures or presentations were adopted. In particular: 1) Care should be taken that upward moving slugs of a tracer during radioactive tracer surveys are tracked until they disappear into the formation; 2) During stationary tests, the detectors should be located close to the lowest casing or tubing end behind which waste might travel upward. If this is a tubing tailpipe, the tool can be moved upward above the casing shoe if an upward moving slug is detected; and 3) The scaling on temperature and radioactive tracer surveys should be chosen to accentuate the features which are important in evaluation.

Region 5 is using a peer review process which involves joint review of data submissions. This has improved reviews by generating discussions of data problems and ensuring that reviews

are completed. In addition, review workgroup members have taken part in an important international symposium and produced two peer reviewed papers which are now ready for publishing. A third paper is in preparation. We suggest that the Ohio EPA adopt a similar program designed to meet the Unit's unique needs because of the complexity of issues and advantages of having regular discussions of these issues.

Inspections

The OEPA continues to be comprehensive and on target in their inspections of Class I and V facilities.

Enforcement

Overall Enforcement

The enforcement program has made substantial progress and the OEPA is working to further refine the process. We are highly encouraged by recent efforts of the OEPA to deter non-compliance. OEPA increased efforts to work with operators to address delinquencies before taking enforcement action and has elevated enforcement action against repeat offenders to the Division level. These are very positive approaches and we look for progress to continue.

Timeliness and Appropriateness of Enforcement Actions

Although several cases have been longstanding, the OEPA has come to resolution on a number of them. The OEPA secured \$10,000 in stipulated penalties from Aristech for failure to comply with the consent agreement as well as a substantial penalty from RES for violations concerning their injection well. The OEPA successfully witnessed the plugging of the Class I non-hazardous injection well owned and operated by Reserve Environmental Services. The OEPA has also adequately addressed those wells in SNC by issuing NOVs and escalating signature to the Division level.

AKZO has not yet signed the negotiated order thus delaying case resolution. As such, the OEPA may require USEPA assistance. Region 5 has offered to begin a Federal enforcement action, however, the OEPA felt that such action was not warranted at this time. We are ready to assist the OEPA where necessary to close the case. The Region agreed to indicate our interest in the case to the company as this may speed resolution.

Deterrence/Repeat Violations

Last year USEPA requested that OEPA address the issue of repeat violators. Upon USEPA request, the OEPA wrote a letter to each facility to remind operators of their permit requirements, bring

to their attention that violations were recurring, and reinforce the importance of permit compliance. The letters were well written and very clear to their purpose of reducing the number of NOVs for paper violations, which a facility could correct by knowledge of their permit reporting requirements. In addition, the last two NOVs issued in FY 1994 and the Return to Compliance letters contained reference that repeat violations had occurred. For FY 1995, we noted that BP Chemical and Aristech each had a repeat reporting violation for which OEPA issued NOVs and escalated the level of the actions to Division. At this time, the number of NOVs are down as OEPA efforts may have encouraged compliance.

97 Percent Compliance Target

The return to compliance time frames are very good. The compliance rate exceeds the target of 97 percent of all wells remaining off the exceptions list.

Citizen Complaints

The citizen complaints reviewed by Region 5 were well documented and handled in a quick and professional manner.

Enforcement Strategy

USEPA staff have reviewed OEPA's revised enforcement strategy and find it acceptable. No comments will be forthcoming.

Documentation of Non-Compliance Follow-up

The OEPA sends Return to Compliance Letters to operators in a timely manner and includes the letter as part of the enforcement file. This will allow for easier tracking and audit of enforcement case development and closure.

Unilateral Administrative Penalty Authority

In past reviews, we suggested that OEPA seek unilateral penalty authority. While the OEPA has been able to achieve compliance thus far, we still feel that unilateral penalty authority would provide for greater deterrence and thus would expedite enforcement processes. Hence, we continue to recommend that the OEPA seek such authority.

Class V

Overall Class V

The OEPA is creative and resourceful in the implementation of the Class V program. As a result, the Class V program continues to progress. OEPA has provided invaluable and insightful input on

Class V efforts both Regionally and Nationally and will be instrumental in any future developmental activity. Region 5 will be hosting a Class V meeting along with the Wisconsin Department of Natural Resources at Lake Geneva, Wisconsin on September 18-20, 1995 to deal with Class V implementation issues that are common to all States in the Region. OEPA's presence at this meeting will be crucial to its success and we strongly encourage you to send representatives.

Source Identification Efforts

The OEPA central office is working closely with the District Offices in identifying potential Class V facilities. The OEPA also conducted a mailout to environmental consultants regarding reporting requirements for 5X26 or aquifer remediation related wells. This effort should generate additional inventory and contacts. The OEPA continues to develop lists through membership directories, telephone directories, and other programs such as review of wellhead data. These activities are in line with Regional strategies. OEPA efforts have been successful and resulted in the identification of a number of Class V wells.

Addressing Wells on Inventory

The OEPA continues to carefully administer an outstanding Class V program and is working to address wells on the inventory. The OEPA's approach is consistent with Regional and National strategies with the exception of well closure. Currently, the OEPA requires companies to submit BMPs, ensures that companies are following them, and opts for closure in egregious cases. The national direction of the Class V program continues to recommend the closure of high priority Class V wells whenever possible. The OEPA still has ongoing concerns over a number of issues which accompany well closure, but is working to address many of these issues and move forward. At the review, the OEPA made the USEPA aware of the need for the State to substantiate the Class V inventory that they received from Headquarters through the National Report to Congress in order to better assess the universe of wells they will be managing, and to identify possible enforcement mechanisms to close wells versus permitting them. The Region will assist the State as needed and can provide insight on what the Region has done to this end.

The OEPA continues to follow-up on the Ryder Truck facility and has had ongoing discussions to determine next steps. The OEPA UIC program is also currently working on two high priority Class V wells and is hoping to coordinate with RCRA on closing the wells. We are interested in learning the outcome of these cases and request that the OEPA keep us abreast of developments. We also ask that the OEPA let us know if we can be of assistance in any way.

The OEPA is also working to establish coordination with Division of Emergency and Remedial Response (DERR) on one existing Class V facility and identifying and addressing facilities presumed to be Class IV wells because DERR has the skills to assist the UIC Unit with such cases. Although coordination is a significant factor, we encourage the OEPA to proceed with well closure even if DERR assistance is not provided. We are available to help the OEPA accomplish this.

Outreach Efforts

The OEPA is currently working on activities funded by a special project grant which has been expanded to include the development and distribution of a State specific Class V brochure. We will discuss progress at the next review. The OEPA is responsive to public inquiries and remains active in this area.

Use of Retired Senior Volunteers

The OEPA is still looking for ways to utilize the senior volunteers but has been limited by geographic restrictions of the sponsoring organization. The areas where OEPA needs assistance with office activities generally fall outside of the volunteers' authorized travel zones. We encourage the OEPA to consider other uses for the volunteers if at all possible within their approved geographical area as this is a way to leverage resources in support of the overall agency environmental goals.

Partnerships/Networking

The OEPA has been working with the city of Fairfield to address concerns with the storm water drainage wells in the community and the potential threat the wells pose to the ground water supply. We understand that efforts to communicate with city officials have been challenging. We will be happy to provide assistance wherever possible.

Data Management

The OEPA continues to keep well documented records of Class V facilities and track inspections and BMPs. The OEPA will maintain the Class V tracking sheet until the Class V database is up and running.

bcc:	Zdanowicz	Taylor	O'Riordan
	Perenchio/Smith		
	File	Gerrish	Roy

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MAY 9 1996

WU-17J

John Sadzewicz, Chief
Drinking & Groundwater Division
Ohio Environmental Protection Agency
P.O. Box 1049
1800 Watermark Drive
Columbus, Ohio 43215-1049

JK
5/8/96

Dear Mr. Sadzewicz:

The purpose of this letter is to acknowledge the OEPA's successful implementation of a State UIC program for Class I, IV, and V wells in Ohio. We met with members of your staff on the afternoon of September 26 and the morning of September 27 to mutually discuss the OEPA's effectiveness in implementing the UIC program and to identify additional ways to enhance our State/Federal partnership. We had a good exchange of technical information as well as informative discussions on joint program concerns. The State UIC program continues to mature and we have no major issues. We commend your staff for their outstanding efforts. Specifically, we greatly benefited from the self-assessment prepared by Mary Lou Rochotte before our meeting.

You will find enclosed a brief summary of opportunities and existing areas for continued coordination, assistance, and or exchange as well as some State program highlights. We hope this letter will serve as a stepping stone as we strive to reach further heights in the spirit of performance partnerships.

Thank you for your continued cooperation. If you have any questions or comments, please contact John Taylor or Valoria Robinson of my staff at (312) 886-4281.

Sincerely,

Rebecca Harvey, Chief
Underground Injection Control Branch

cc: Mary Lou Rochotte

Enclosure

Highlights

- ▶ As a result of efforts by OEPA staff, the UIC program is being implemented in an effective and comprehensive manner. UIC program management has played a critical role in moving the State UIC program forward.
- ▶ OEPA staff have established high visibility both in the National Class I and Class V arenas. Specifically, the OEPA was a key player in the development of a two tier policy for Class I Significant Non-Compliance violations and has provided substantial input to the Class V regulations development process.
- ▶ OEPA has done an outstanding job of coordinating with those programs and agencies that impact and/or complement the UIC program. This is especially true of the Class V program which carries the biggest potential for overlap and conflict with other authorities.

Opportunities for Coordination/Assistance/Exchange

- ▶ Development and distribution of outreach materials.
- ▶ Identification of ways to discourage installation of new Class V wells.
- ▶ Developing environmental indicators for UIC.
- ▶ Understanding/Reassessment of HQ allocation formula.
- ▶ Identifying areas of overlap and conflict in other programs and agencies that directly impact Class V program implementation, such as coordination with surface water programs on stormwater discharge/management, and with PTI programs for septic systems which qualify as Class V wells.
- ▶ Determining how Brownfields, particularly in view of state legislation, may impact existing UIC requirements and regulations.
- ▶ Developing National Guidance on the disposal of Fly Ash which will involve coordination with the Federal Bureau of Mines.
- ▶ Coordination with other agencies that impact the Class V program such as the Department of Transportation and the ODNR Department of Reclamation and the potential development of policy or criteria for addressing conflicts and other issues.

Areas For Continued Coordination/Assistance/Exchange

- ▶ Technical coordination/assistance/exchange on various issues including interpretation of Chem Waste Monitor Well Data, Aristech monitoring and closure.
- ▶ State involvement in Regional policy and guidance development. OEPA is interested in more involvement up front.
- ▶ Joint efforts to affect change through GWPC meetings.
- ▶ National Class V regulation development, where OEPA input has been extremely beneficial.
- ▶ National policy, guidance, and regulation development.
- ▶ Other issues as they arise.

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